

PARTIES

5. Plaintiff is a natural person residing in Wilmington, New Hanover County, North Carolina.
6. Plaintiff is a consumer as that term is defined by 15 U.S.C. 1692a(3), and according to Defendant, Plaintiff allegedly owes a debt as that term is defined by 15 U.S.C. 1692a(5).
7. Defendant is a debt collector as that term is defined by 15 U.S.C. 1692a(6), and sought to collect a consumer debt from Plaintiff.
8. Defendant is a debt collection company with a business office in Buffalo, New York.
9. Defendant is a collection law firm that in the ordinary course of business, regularly, on behalf of itself or others, engages in debt collection.

FACTUAL ALLEGATIONS

10. Defendant places constant and continuous collection calls to Plaintiff seeking and demanding payment from Plaintiff for an alleged debt.
11. Defendant places collection calls to Plaintiff on her cellular phone number: 910-508-2813.
12. Defendant places collection calls to Plaintiff at her place of employment on telephone number: 910-763-5411.
13. Plaintiff informed Defendant that she cannot receive personal calls at work and to stop calling her there.
14. Despite this, Defendant placed six more collection calls to Plaintiff the same day.

15. Defendant's representative, Mrs. Davenport, disclosed details of Plaintiff's alleged debt to Plaintiff's co-worker.

16. Defendant left a voicemail message on Plaintiff's husband's phone threatening to contact friends and family if Plaintiff did not immediately return Defendant's call.

COUNT I
DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT

17. Defendant violated the FDCPA based on the following:

- a. Defendant violated §1692c(a)(1) of the FDCPA by calling Plaintiff at her place of employment, a place known to be inconvenient to Plaintiff;
- b. Defendant violated §1692c(a)(3) by repeatedly contacting Plaintiff at her place of employment even though Defendant knew that Plaintiff's employer prohibits the consumer from receiving such communication;
- c. Defendant violated §1692b(2) of the FDCPA by stating Plaintiff owes a debt to a third party;
- d. Defendant violated §1692c(b) of the FDCPA by communicating with a third party in connection with the collection of Plaintiff's debt;
- e. Defendant violated §1692d of the FDCPA by engaging in conduct that the natural consequences of which was to harass, oppress, and abuse Plaintiff in connection with the collection of an alleged debt;
- f. Defendant violated §1692d(5) of the FDCPA by causing a telephone to ring repeatedly and continuously with the intent to annoy, abuse, and harass Plaintiff;

- g. Defendant violated §1692e(10) of the FDCPA by using deceptive means in an attempt to collect a debt by communicating with a third party regarding Plaintiff's alleged debt.

Wherefore, Plaintiff, NICOLE RAYNOR, respectfully requests judgment be entered against Defendant, GLOBAL CREDIT & COLLECTION, INC., for the following:

18. Statutory damages of \$1,000.00 pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. 1692k.
19. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. 1692k.
20. Any other relief that this Honorable Court deems appropriate.

DEMAND FOR JURY TRIAL

Please take notice that Plaintiff, NICOLE RAYNOR demands a jury trial in this cause of action.

Dated: January 13, 2011

RESPECTFULLY SUBMITTED,

By: /s/ Christopher D. Lane

Christopher D. Lane, Esq.

NC Bar ID # 20302

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Attorneys for Plaintiff,

NELDA CASHION

VERIFICATION OF COMPLAINT AND CERTIFICATION

STATE OF NORTH CAROLINA

Plaintiff, NICOLE RAYNOR, states the following:

1. I am the Plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorneys and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant(s), cause unnecessary delay to any Defendant(s), or create a needless increase in the cost of litigation to any Defendant(s), named in the Complaint.
5. I have filed this Complaint in good faith and solely for the purposes set forth in it.
6. Each and every exhibit I have provided to my attorneys which has been attached to this Complaint is a true and correct copy of the original.
7. Except for clearly indicated redactions made by my attorneys where appropriate, I have not altered, changed, modified or fabricated these exhibits, except that some of the attached exhibits may contain some of my own handwritten notations.

Pursuant to 28 U.S.C. § 1746(2), I, NICOLE RAYNOR, hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

12-22-10

Date

Nicole Raynor

NICOLE RAYNOR

PLAINTIFF'S VERIFIED COMPLAINT